

U.S. Department of Justice
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September 15, 2016

Via Electronic FilingHon. Nicholas G. Garaufis
U.S. District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201Re: Batalla Vidal v. Baran, et al., No. 1:16-CV-4756 (NGG) (JO)

Dear Judge Garaufis:

In anticipation of the pre-motion conference scheduled for September 22, 2016, the parties have conferred and agree that they anticipate that this case can be resolved by dispositive motions and that no factual development is necessary. Accordingly, should the Court order briefing as the next step in the litigation, the parties have agreed to propose the following schedule:

1. **October 6, 2016:** Plaintiff's Motion for Summary Judgment.
2. **November 16, 2016:** Defendants' Consolidated Opposition to Plaintiff's Motion for Summary Judgment and Defendants' Motion to Dismiss or, in the alternative, Summary Judgment.
3. **December 6, 2016:** Plaintiff's Consolidated Opposition to Defendants' Motion to Dismiss or, in the alternative, Summary Judgment and Reply to Defendants' Opposition to Plaintiff's Motion for Summary Judgment.
4. **January 12, 2017:** Defendants' Reply to Plaintiff's Opposition to Defendants' Motion to Dismiss or, in the alternative, Summary Judgment.

Further, the parties respectfully request that this Court stay Defendants' time to file an Answer pending disposition of these motions, consistent with Federal Rules of Civil Procedure 12 and 15.

Respectfully Submitted,

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General/s/ Adam Kirschner

ADAM D. KIRSCHNER
U.S. Department of Justice, Civil Division

cc: Counsel of Record (via electronic filing)